

***In the Senate of the United States,***

*September 26 (legislative day, September 17), 2008.*

*Resolved*, That the bill from the House of Representatives (H.R. 5618) entitled “An Act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “National Sea Grant Col-*  
3 *lege Program Amendments Act of 2008”.*

4 ***SEC. 2. REFERENCES.***

5 *Except as otherwise expressly provided therein, when-*  
6 *ever in this Act an amendment or repeal is expressed in*  
7 *terms of an amendment to, or repeal of, a section or other*  
8 *provision, the reference shall be considered to be made to*  
9 *a section or other provision of the National Sea Grant Col-*  
10 *lege Program Act (33 U.S.C. 1121 et seq.).*

1 **SEC. 3. FINDINGS AND PURPOSE.**

2 (a) *FINDINGS.*—Section 202(a) (33 U.S.C. 1121(a)) is  
3 amended—

4 (1) *by striking subparagraphs (D) and (E) of*  
5 *paragraph (1) and inserting the following:*

6 “(D) *encourage the development of prepara-*  
7 *tion, forecast, analysis, mitigation, response, and*  
8 *recovery systems for coastal hazards;*

9 “(E) *understand global environmental proc-*  
10 *esses and their impacts on ocean, coastal, and*  
11 *Great Lakes resources; and”;*

12 (2) *by striking “program of research, education,”*  
13 *in paragraph (2) and inserting “program of inte-*  
14 *grated research, education, extension,”; and*

15 (3) *by striking paragraph (6) and inserting the*  
16 *following:*

17 “(6) *The National Oceanic and Atmospheric Ad-*  
18 *ministration, through the national sea grant college*  
19 *program, offers the most suitable locus and means for*  
20 *such commitment and engagement through the pro-*  
21 *motion of activities that will result in greater such*  
22 *understanding, assessment, development, manage-*  
23 *ment, utilization, and conservation of ocean, coastal,*  
24 *and Great Lakes resources. The most cost-effective*  
25 *way to promote such activities is through continued*  
26 *and increased Federal support of the establishment,*

1        *development, and operation of programs and projects*  
 2        *by sea grant colleges, sea grant institutes, and other*  
 3        *institutions, including strong collaborations between*  
 4        *Administration scientists and research and outreach*  
 5        *personnel at academic institutions.”.*

6        (b) *PURPOSE.*—Section 202(c) (33 U.S.C. 1121(c)) is  
 7        *amended by striking “to promote research, education, train-*  
 8        *ing, and advisory service activities” and inserting “to pro-*  
 9        *mote integrated research, education, training, and extension*  
 10       *services and activities”.*

11       (c) *TERMINOLOGY.*—Subsections (a) and (b) of section  
 12       202 (15 U.S.C. 1121(a) and (b)) are amended by inserting  
 13       “management,” after “development,” each place it appears.

14       **SEC. 4. DEFINITIONS.**

15       (a) *IN GENERAL.*—Section 203 (33 U.S.C. 1122) is  
 16       *amended—*

17                (1) *in paragraph (4) by inserting “manage-*  
 18                *ment,” after “development,”;*

19                (2) *in paragraph (11) by striking “advisory*  
 20                *services” and inserting “extension services”; and*

21                (3) *in each of paragraphs (12) and (13) by strik-*  
 22                *ing “(33 U.S.C. 1126)”.*

23        (b) *REPEAL.*—Section 307 of the Act entitled “An Act  
 24        *to provide for the designation of the Flower Garden Banks*

1 *National Marine Sanctuary*” (Public Law 102–251; 106  
2 *Stat.* 66) is repealed.

3 **SEC. 5. NATIONAL SEA GRANT COLLEGE PROGRAM.**

4 (a) *PROGRAM ELEMENTS*.—Section 204(b) (33 U.S.C.  
5 1123(b)) is amended—

6 (1) by amending paragraph (1) to read as fol-  
7 lows:

8 “(1) sea grant programs that comprise a na-  
9 tional sea grant college program network, including  
10 international projects conducted within such pro-  
11 grams and regional and national projects conducted  
12 among such programs;”;

13 (2) by amending paragraph (2) to read as fol-  
14 lows:

15 “(2) administration of the national sea grant  
16 college program and this title by the national sea  
17 grant office and the Administration;” and

18 (3) by amending paragraph (4) to read as fol-  
19 lows:

20 “(4) any regional or national strategic invest-  
21 ments in fields relating to ocean, coastal, and Great  
22 Lakes resources developed in consultation with the  
23 Board and with the approval of the sea grant colleges  
24 and the sea grant institutes.”.

1       (b) *TECHNICAL CORRECTION.*—Section 204(c)(2) (33  
 2 U.S.C. 1123(c)(2)) is amended by striking “Within 6  
 3 months of the date of enactment of the National Sea Grant  
 4 College Program Reauthorization Act of 1998, the” and in-  
 5 serting “The”.

6       (c) *FUNCTIONS OF DIRECTOR OF NATIONAL SEA*  
 7 *GRANT COLLEGE PROGRAM.*—Section 204(d) (33 U.S.C.  
 8 1123(d)) is amended—

9           (1) in paragraph (2)(A), by striking “long  
 10 range”;

11          (2) in paragraph (3)(A)—

12           (A) by striking “(A)(i) evaluate” and in-  
 13 serting “(A) evaluate and assess”;

14           (B) by striking “activities; and” and insert-  
 15 ing “activities;”; and

16           (C) by striking clause (ii); and

17          (3) in paragraph (3)(B)—

18           (A) by redesignating clauses (ii) through  
 19 (iv) as clauses (iii) through (v), respectively, and  
 20 by inserting after clause (i) the following:

21           “(ii) encourage collaborations among  
 22 sea grant colleges and sea grant institutes to  
 23 address regional and national priorities es-  
 24 tablished under subsection (c)(1);”;

1           (B) in clause (iii) (as so redesignated) by  
 2           striking “encourage” and inserting “ensure”;

3           (C) in clause (iv) (as so redesignated) by  
 4           striking “and” after the semicolon;

5           (D) by inserting after clause (v) (as so re-  
 6           designated) the following:

7           “(vi) encourage cooperation with Minority  
 8           Serving Institutions to enhance collaborative re-  
 9           search opportunities and increase the number of  
 10          such students graduating in NOAA science areas;  
 11          and”.

12 **SEC. 6. PROGRAM OR PROJECT GRANTS AND CONTRACTS.**

13          Section 205 (33 U.S.C. 1124) is amended—

14           (1) by striking “204(c)(4)(F).” in subsection (a)  
 15          and inserting “204(c)(4)(F) or that are appropriated  
 16          under section 208(b).”; and

17           (2) by striking the matter following paragraph  
 18          (3) in subsection (b) and inserting the following:

19          “The total amount that may be provided for grants  
 20          under this subsection during any fiscal year shall not exceed  
 21          an amount equal to 5 percent of the total funds appro-  
 22          priated for such year under section 212.”.

1 **SEC. 7. EXTENSION SERVICES BY SEA GRANT COLLEGES**  
 2 **AND SEA GRANT INSTITUTES.**

3 *Section 207(a) (33 U.S.C. 1126(a)) is amended in each*  
 4 *of paragraphs (2)(B) and (3)(B) by striking “advisory serv-*  
 5 *ices” and inserting “extension services”.*

6 **SEC. 8. FELLOWSHIPS.**

7 *Section 208(a) (33 U.S.C. 1127) is amended—*

8 *(1) by striking “Not later than 1 year after the*  
 9 *date of the enactment of the National Sea Grant Col-*  
 10 *lege Program Act Amendments of 2002, and every 2*  
 11 *years thereafter,” in subsection (a) and inserting*  
 12 *“Every 2 years,”; and*

13 *(2) by adding at the end the following:*

14 *“(c) Restriction on Use of Funds.—Amounts available*  
 15 *for fellowships under this section, including amounts ac-*  
 16 *cepted under section 204(c)(4)(F) or appropriated under*  
 17 *section 212 to implement this section, shall be used only*  
 18 *for award of such fellowships and administrative costs of*  
 19 *implementing this section.”*

20 **SEC. 9. NATIONAL SEA GRANT ADVISORY BOARD.**

21 *(a) REDESIGNATION OF SEA GRANT REVIEW PANEL*  
 22 *AS BOARD.—*

23 *(1) REDESIGNATION.—The sea grant review*  
 24 *panel established by section 209 of the National Sea*  
 25 *Grant College Program Act (33 U.S.C. 1128), as in*  
 26 *effect before the date of the enactment of this Act, is*

1     *redesignated as the National Sea Grant Advisory*  
 2     *Board.*

3           (2) *MEMBERSHIP NOT AFFECTED.*—*An indi-*  
 4     *vidual serving as a member of the sea grant review*  
 5     *panel immediately before date of the enactment of this*  
 6     *Act may continue to serve as a member of the Na-*  
 7     *tional Sea Grant Advisory Board until the expiration*  
 8     *of such member’s term under section 209(c) of such*  
 9     *Act (33 U.S.C. 1128(c)).*

10          (3) *REFERENCES.*—*Any reference in a law, map,*  
 11     *regulation, document, paper, or other record of the*  
 12     *United States to such sea grant review panel is*  
 13     *deemed to be a reference to the National Sea Grant*  
 14     *Advisory Board.*

15          (4) *CONFORMING AMENDMENTS.*—

16           (A) *IN GENERAL.*—*Section 209 (33 U.S.C.*  
 17     *1128) is amended by striking so much as pre-*  
 18     *cedes subsection (b) and inserting the following:*

19     **“SEC. 209. NATIONAL SEA GRANT ADVISORY BOARD.**

20         “(a) *ESTABLISHMENT.*—*There shall be an independent*  
 21     *committee to be known as the National Sea Grant Advisory*  
 22     *Board.”.*

23           (B) *DEFINITION.*—*Section 203(9) (33*  
 24     *U.S.C. 1122(9)) is amended to read as follows:*



1           “(9) *The term ‘Board’ means the National Sea*  
 2           *Grant Advisory Board established under section*  
 3           *209.’;*

4                   (C) *OTHER PROVISIONS.—The following*  
 5                   *provisions are each amended by striking “panel”*  
 6                   *each place it appears and inserting “Board”:*

7                           (i) *Section 204 (33 U.S.C. 1123).*

8                           (ii) *Section 207 (33 U.S.C. 1126).*

9                           (iii) *Section 209 (33 U.S.C. 1128).*

10           (b) *DUTIES.—Section 209(b) (33 U.S.C. 1128(b)) is*  
 11           *amended to read as follows:*

12           “(b) *DUTIES.—*

13                   “(1) *IN GENERAL.—The Board shall advise the*  
 14                   *Secretary and the Director concerning—*

15                           “(A) *strategies for utilizing the sea grant*  
 16                           *college program to address the Nation’s highest*  
 17                           *priorities regarding the understanding, assess-*  
 18                           *ment, development, management, utilization,*  
 19                           *and conservation of ocean, coastal, and Great*  
 20                           *Lakes resources;*

21                           “(B) *the designation of sea grant colleges*  
 22                           *and sea grant institutes; and*

23                           “(C) *such other matters as the Secretary re-*  
 24                           *fers to the Board for review and advice.*

1           “(2) *BIENNIAL REPORT.*—*The Board shall report*  
2           *to the Congress every two years on the state of the na-*  
3           *tional sea grant college program. The Board shall in-*  
4           *dicade in each such report the progress made toward*  
5           *meeting the priorities identified in the strategic plan*  
6           *in effect under section 204(c). The Secretary shall*  
7           *make available to the Board such information, per-*  
8           *sonnel, and administrative services and assistance as*  
9           *it may reasonably require to carry out its duties*  
10          *under this title.”.*

11          (c) *MEMBERSHIP, TERMS, AND POWERS.*—*Section*  
12          *209(c)(1) (33 U.S.C. 1128(c)(1)) is amended—*

13                 (1) *by inserting “coastal management,” after*  
14                 *“resource management,”; and*

15                 (2) *by inserting “management,” after “develop-*  
16                 *ment,”.*

17          (d) *EXTENSION OF TERM.*—*Section 209(c)(3) (33*  
18          *U.S.C. 1128(c)(3)) is amended by striking the second sen-*  
19          *tence and inserting the following: “The Director may extend*  
20          *the term of office of a voting member of the Board once*  
21          *by up to 1 year.”.*

22          (e) *ESTABLISHMENT OF SUBCOMMITTEES.*—*Section*  
23          *209(c) (33 U.S.C. 1128(c)) is amended by adding at the*  
24          *end the following:*

1       “(8) *The Board may establish such subcommittees as*  
 2 *are reasonably necessary to carry out its duties under sub-*  
 3 *section (b). Such subcommittees may include individuals*  
 4 *who are not Board members.”.*

5   **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

6       *Section 212 of the National Sea Grant College Pro-*  
 7 *gram Act (33 U.S.C. 1131) is amended—*

8           *(1) by striking subsection (a)(1) and inserting*  
 9 *the following: “*

10           *“(1) IN GENERAL.—There are authorized to be*  
 11 *appropriated to the Secretary to carry out this title—*

12           *“(A) \$72,000,000 for fiscal year 2009;*

13           *“(B) \$75,600,000 for fiscal year 2010;*

14           *“(C) \$79,380,000 for fiscal year 2011;*

15           *“(D) \$83,350,000 for fiscal year 2012;*

16           *“(E) \$87,520,000 for fiscal year 2013; and*

17           *“(F) \$91,900,000 for fiscal year 2014.”;*

18           *(2) in subsection (a)(2)—*

19           *(A) by striking “fiscal years 2003 through*  
 20 *2008—” and inserting “fiscal years 2009*  
 21 *through 2014—”;*

22           *(B) by striking “biology and control of*  
 23 *zebra mussels and other important aquatic” in*  
 24 *subparagraph (A) and inserting “biology, pre-*  
 25 *vention, and control of aquatic”; and*

1                   (C) by striking “blooms, including  
2                   *Pfiesteria piscicida*; and” in subparagraph (C)  
3                   and inserting “blooms; and”;  
4                   (3) in subsection (c)(1) by striking “rating under  
5                   section 204(d)(3)(A)” and inserting “performance as-  
6                   sessments”; and  
7                   (4) by striking subsection (c)(2) and inserting  
8                   the following:  
9                   “(2) regional or national strategic investments author-  
10                  ized under section 204(b)(4);”.

Attest:

*Secretary.*

110TH CONGRESS  
2D SESSION

**H. R. 5618**

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**AMENDMENT**